

ORDINANCE NO. 12-\_\_\_\_\_

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, as follows:

Section 1. The City Council of the City of Huntsville, Alabama, finds that an application has been presented to the City of Huntsville requesting a vacation of a portion of a utility and drainage easement; that the applicant has represented to the City of Huntsville that Mountainprize, Inc., is the owner of the property across which said easement lies; that said easement or portion being vacated is not presently used and is no longer needed for a public or municipal purpose.

Section 2. Pursuant to the findings in Section 1 hereinabove, the Mayor of the City of Huntsville, Alabama, is hereby authorized, requested and directed to execute a quitclaim deed vacating the easement hereinafter described, said deed being substantially in words and figures as follows, to-wit:

STATE OF ALABAMA     )  
                                  )  
COUNTY OF MADISON    )

**QUITCLAIM DEED**

**KNOW ALL MEN BY THESE PRESENTS**, that the undersigned **CITY OF HUNTSVILLE**, an Alabama municipal corporation, hereinafter referred to as Grantor, in consideration of the sum of Ten Dollars (\$10.00) in hand paid by Mountainprize, Inc., a Georgia corporation hereinafter referred to as Grantee, and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, does hereby remise, release, quitclaim, and convey unto the Grantee, all of the Grantor's right, title, interest and claim in and to the following described real estate situated in the City of Huntsville, County of Madison, State of Alabama, to-wit:

**Tract**

BEGINNING AT A POINT WHICH IS ON THE NORTHERN RIGHT-OF-WAY OF HIGHWAY 431 AND WHICH LIES SOUTH 02 DEGREES 15 MINUTES 20 SECONDS WEST, 516.77 FEET FROM THE PURPORTED CENTER OF THE WEST BOUNDARY OF SECTION 14, TOWNSHIP 4 SOUTH, RANGE 1 EAST; THENCE FROM THE POINT OF BEGINNING WITH SAID RIGHT-OF-WAY NORTH 1 DEGREE 39 MINUTES 31 SECONDS EAST, 303.33 FEET; THENCE SOUTH 52 DEGREES 11 MINUTES 29 SECONDS EAST, 246.26 FEET TO A CAPPED IRON PIN; THENCE SOUTH 32 DEGREES 30 MINUTES 24 SECONDS WEST, 250.00 FEET TO A CAPPED IRON PIN BEING ON THE RIGHT-OF-WAY OF HIGHWAY 431; THENCE ALONG SAID RIGHT-OF-WAY WITH A CURVE TO THE LEFT WITH A RADIUS OF 3363.72 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 50 DEGREES 52 MINUTES 15 SECONDS WEST, 93.21 FEET (AN ARC DISTANCE OF 93.21 FEET) TO THE POINT OF BEGINNING AND CONTAINING 0.96 ACRES, MORE OR LESS;

Including any rights contained in that Right-of-Way granted to Alabama Power Company by instrument recorded July 25, 1936, in Official Records Book 147, page 401 of the Public Records of Madison County, Alabama.

**TO HAVE AND TO HOLD** unto the said grantee, its successors and assigns forever.

**IN WITNESS WHEREOF**, Grantor has caused this quitclaim to be signed in its behalf by its Mayor and attested by its Clerk-Treasurer, this the 26th day of July, 2012.

**CITY OF HUNTSVILLE, ALABAMA,**  
a municipal corporation

By: \_\_\_\_\_  
Tommy Battle, Mayor

**ATTEST:**

By: \_\_\_\_\_  
Charles E. Hagood  
Clerk-Treasurer

STATE OF ALABAMA     )  
                                  ):  
COUNTY OF MADISON    )

I, the undersigned, a notary public in and for said County, in said State, hereby certify that Tommy Battle and Charles E. Hagood, whose names as Mayor and City Clerk-Treasurer, respectively, of The City of Huntsville, Alabama, a municipal corporation are signed to the foregoing document, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, as such officers and with full authority, executed the same for and as the act of said corporation on the day the same bears day.

GIVEN under my hand and official seal this the 26th day of July, 2012.

\_\_\_\_\_  
Notary Public

THIS INSTRUMENT PREPARED BY:  
RW #6892

Ordinance No. 12-\_\_\_\_\_ (Cont.)  
Mountainprize, Inc.

ADOPTED this the 26th day of July, 2012.

\_\_\_\_\_  
President of the City Council  
of the City of Huntsville, Alabama

APPROVED this the 26th day of July, 2012.

\_\_\_\_\_  
Mayor of the City of  
Huntsville, Alabama